

Peter R. Afrasiabi (SBN 193336)
Christopher W. Arledge (SBN 200767)
ONE LLP
4000 MacArthur Blvd.
West Tower, Suite 1100
Newport Beach, CA 92660
Telephone: (949) 502-2870
Facsimile: (949) 258-5081
Email: pafraasiabi@onellp.com
Email: carledge@onellp.com

Atorneys for Plaintiff
LIAT ORSHANSKY, on behalf of herself
and others similarly situated

C. Brandon Wisoff (SBN 121930)
FARELLA BRAUN & MARTEL LLP
235 Montgomery Street, 17th Floor
San Francisco, CA 94104
Telephone: (415) 954-4400
Facsimile: (415) 954-4480
Email: bwisoff@fbm.com

Jeremy Feigelson (*admitted pro hac vice*)
Jeffrey S. Jacobson (*admitted pro hac vice*)
DEBEVOISE & PLIMPTON LLP
919 Third Avenue
New York, NY 10022
Telephone: (212) 909-6000
Facsimile: (212) 521-7230
Email: jsjacobs@debevoise.com
Email: jfeigelson@debevoise.com

Frederick B. Warder, III (*admitted pro hac vice*)
PATTERSON BELKNAP WEBB &
TYLER LLP
1133 Avenue of the Americas
New York, NY 10036
Telephone: (212) 336-2000
Facsimile: (212) 336-2222
Email: fbwarder@pbwt.com

Attorneys for Defendants
L'ORÉAL USA, INC. and
MAYBELLINE, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

LIAT ORSHANSKY, on behalf of herself and others similarly situated,

Plaintiffs,

V.

L'ORÉAL USA, INC., a Delaware corporation; MAYBELLINE, LLC, a New York limited liability company dba MAYBELLINE, NEW YORK.

Defendants.

Case No. 3:12-cv-06342-CRB
Hon. Charles R. Breyer

**JOINT STIPULATION TO AMEND
AND ORDER**

1 WHEREAS, Plaintiff Liat Orshansky and Defendants L'Oréal USA, Inc. and Maybelline,
 2 LLC, a New York limited liability company d/b/a Maybelline, New York (collectively
 3 "Defendants") are presently named parties in the above captioned litigation;

4 WHEREAS, on August 22, 2013, the Court ordered the parties to show cause why this action
 5 and the related action *Nobles v. L'Oréal USA, Inc., et al.*, Case No. 3:13-cv-01911, should or should
 6 not be transferred to the United States District Court for the Southern District of New York; and

7 WHEREAS, on September 5, 2013, the parties filed a joint response to the order to show
 8 cause asking the Court to discharge the order in light of this forthcoming stipulation;

9 Now, therefore, Plaintiff Liat Orshansky and Defendants, by and through their respective
 10 counsel of record, hereby stipulate as follows:

11 1. By September 16, 2013, Plaintiff and counsel for Ayanna Nobles, plaintiff in the related
 12 action *Nobles v. L'Oréal USA, Inc., et al.*, Case No. 3:13-cv-01911, shall file an amended complaint
 13 in this action, adding Ms. Nobles as a plaintiff and omitting the currently-pleaded claims respecting
 14 Maybelline's SuperStay 14HR Lipstick and SuperStay 10 Stain Gloss, and thus pleading claims only
 15 with respect to the mascara products, Maybelline's Volum'Express The Falsies and L'Oréal Paris'
 16 Voluminous False Fiber Lashes. Defendants agree that this action, as amended in this matter, should
 17 remain venued in this District subject to the Court's discretion pursuant to 28 U.S.C. section 1404(a).

18 2. Because the parties have agreed to mediate the mascara-related claims before a neutral
 19 mediator on or about October 16, 2013, all deadlines in this action, and all discovery except that
 20 necessary for the mediation, are stayed until a status conference to be held before this Court on
 21 November 1, 2013 at 8:30 AM.

22 3. By September 16, 2013, Plaintiff and counsel for Ayanna Nobles will file an amended
 23 complaint in *Nobles v. L'Oréal USA, Inc., et al.*, Case No. 3:13-cv-01911, adding Ms. Orshansky as
 24 a plaintiff and omitting the mascara claims described above, thus pleading claims only with respect
 25 to Maybelline's SuperStay 14HR Lipstick and SuperStay 10 Stain Gloss. Following that
 26 amendment, pursuant to 28 U.S.C. s. 1404(a), all parties consent to the transfer of *Nobles v. L'Oréal*
 27 *USA, Inc., et al.*, Case No. 3:13-cv-01911, to the United States District Court for the Southern
 28 District of New York, where an earlier-filed matter pertaining to the same products, *Leebove v.*

JOINT STIPULATION TO AMEND AND ORDER
 Case No. 3:12-cv-06342-CRB

1 *Maybelline, LLC*, No. 1:12-cv-07146 (S.D.N.Y.), is pending. The transfer should note the
2 relatedness of *Nobles v. L'Oréal USA, Inc., et al.*, Case No. 3:13-cv-01911, to that earlier-filed
3 action. Plaintiff agrees that she will not oppose the consolidation of the *Nobles* action with the
4 *Leebove* action after the transfer to the Southern District of New York.

5 IT IS SO STIPULATED.

6 DATED: September 9, 2013. ONE LLP

7 By: /s/ Peter R. Afrasiabi
Peter R. Afrasiabi

8 Attorneys for Plaintiff LIAT ORSHANSKY

10 FARELLA BRAUN & MARTEL LLP

11 By: /s/ C. Brandon Wisoff
C. Brandon Wisoff

13 DEBEVOISE & PLIMPTON LLP

14 By: /s/ Jeffrey S. Jacobson
Jeffrey S. Jacobson

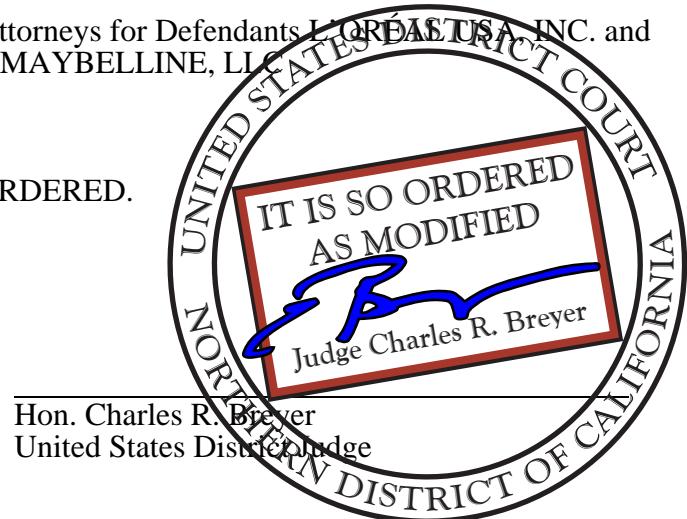
16 PATTERSON BELKNAP WEBB & TYLER LLP

17 By: /s/ Frederick B. Warder, III
Frederick B. Warder, III

19 Attorneys for Defendants L'ORÉAL USA, INC. and
MAYBELLINE, LLC

21 PURSUANT TO STIPULATION, IT IS SO ORDERED.

23 DATED: 9/10/2013



27
28 JOINT STIPULATION TO AMEND AND ORDER
Case No. 3:12-cv-06342-CRB